

REMARKS

The Examiner rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by the patent to Silver. Applicants respectfully disagree.

Claim 1 recites, "determining the position of the mobile terminal based on the paging response." Thus, a mobile terminal camped on packet-switched control channel switches to a circuit switched control channel to respond to a page request. The position of the mobile terminal is then based on this page response. The Examiner cites column 8, line 24 – column 9, line 4 of Silver to support the rejection. However, this passage does not appear to teach what the Examiner says it does. This passage, and its associated Figure 4, actually discloses that the packet switched network sends a message bearing location information to the circuit switched network gateway upon a request for a call setup. As seen in Figure 4, the location information is exchanged *before* the mobile terminal transmits a page response. According to Silver, this provides the circuit-switched network with an indication of the position of the mobile terminal, thereby avoiding long delays in completing call setup. In short, the location of the mobile terminal is determined between the networks before the mobile terminal is able to respond to the page request, not after the mobile terminal has switched to the circuit-switched control channel. *Silver*, col. 2, ll. 62-67; col. 8, ll. 24 – col. 9, ln. 4; Figure 4.

Therefore, Silver fails to anticipate claim 1 under § 102. Accordingly, Applicants respectfully request the allowance of claim 1, and its dependent claims 2-6.

The Examiner also rejected claims 7, 12, 16, 22, and 27 under 35 U.S.C. § 102(e) as being anticipated by the patent to Silver citing reasons similar to those used to support the rejection to claim 1. However, each of the claims 7, 12, 16, 22, and 27 contain language similar to that of claim 1. Thus, for reasons similar to those stated above, Silver also fails to anticipate any of claims 7, 12, 16, 22, and 27 under § 102. Applicant therefore respectfully requests the allowance of claims 7, 12, 16, 22, and 27, and their respective dependent claims 8-11, 13-15, 17-21, 23-26, and 28-31.

Finally, Applicants have amended claims 32 and 38 to include the subject matter of their respective dependent claims 35-36 and 40-41, which are now cancelled without prejudice.

Additionally, claims 33-34 and 37 have been amended to ensure that the dependencies comport with amended claim 32. No new matter has been added.

As amended, claims 32 and 38 are directed to mobile terminal that, after returning the paging response, transmits its position to the circuit-switched network responsive to a position request. As previously stated, location information in Silver is passed between the networks prior to the page response, not from the mobile terminal over the circuit-switched control channel after the response. Accordingly, Applicants respectfully request the allowance of claim 32, its dependent claims 33-34, and 37, claim 38, and its dependent claim 39.

Respectfully submitted,

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